

WE-CAN Harassment Procedures

It is not the intent, but rather the perception and impact which determines if an action is harassment. WE-CAN PIs acknowledge that when employees know about the procedures for reporting harassment, have resources to assist targets of harassment, and are certain of sanctions for harassment behavior, the occurrence of harassment can be reduced [McDonald et al., 2016]. Thus, WE-CAN will have a formal sexual harassment training for all participants, multiple channels for reporting harassment, and pre-determined sanctions for engaging in harassment.

A recent proposed policy change at NSF (Important Notice No. 144: Harassment) states that the “**NSF does not tolerate sexual harassment, or any kind of harassment**, within the agency, at grantee organizations, field sites, or anywhere NSF-funded science and education are conducted” and they “expect all awardee organizations to establish and maintain **clear and unambiguous standards of behavior** to ensure **harassment-free workplaces wherever science is conducted.**” These requirements are consistent with the independent expectations of the WE-CAN PIs. The WE-CAN PIs are united in their commitment to a diverse, inclusive and respectful environment.

All WE-CAN participants are expected to:

- 1) Be familiar with NSF Important Notice No. 144; <https://www.nsf.gov/pubs/issuances/in144.jsp>).
- 2) Participate in a training on July 10, 2018. This training will be located at RAF, and remote access will be available. The training will include information on how to identify and prevent harassment, how to provide support for targets of harassment, and how to report instances of harassment, sexual or other. Everyone will be asked to confirm that they are aware of NSF Important Notice No. 144 at this time.
- 3) Report all instances of harassment in accordance with each project participant’s institution policy, or to the WE-CAN Leads identified below.

The WE-CAN PIs agree that reporting harassment is both honorable and courageous, and the project will follow UCAR’s Code of Conduct. To encourage reporting, the WE-CAN team has established the following multiple channels for reporting harassment. The lead PI, Emily Fischer (evf@atmos.colostate.edu; c: 603-986-4241) and RAF Project Managers, Pavel Romashkin / Cory Wolff (pavel@ucar.edu; c: 303-803-8448 or cwolff@ucar.edu; c: 303-335-6517) will serve as primary points of contact during the field campaign. Any instances of harassment reported to either point of contact may be reported to UCAR, the NSF Office of Diversity and Inclusion (ODI) and/or the appropriate office at the institution of the alleged perpetrator. The primary points of contact will report the incident to the appropriate office at their home institution in accordance with the policies of their home institution. The contact information for each of these offices is provided below. The team agrees to the following sanctions for engaging in harassment:

- Anyone requested to stop unacceptable behavior is expected to comply immediately.
- Accusations of physical harassment will result in immediate exclusion from all WE-CAN related activities until the accusation has been investigated and resolved. UCAR will investigate all accusations during the field intensive within one week of reporting.
- Those accused of non-physical forms of harassment will immediately be separated from interactions with any trainees and/or others who have been targets of harassment during the

period of any investigation of an accusation (one week). Depending on the perceived severity of the incident, perpetrators of harassment can be immediately denied access to the FBO by the WE-CAN PIs or RAF Project Managers.

- Pending the results of an investigation by UCAR or any participating university OEO/Title IX Office, the WE-CAN team reserves the right to prohibit attendance by the reported perpetrators at any future WE-CAN related meetings.

Definitions

Harassment constitutes a form of employment discrimination. It is defined as unwelcome conduct that is based on race, color, religion, sex, national origin, age, disability or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) ***the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.***

Anti-discrimination laws ***prohibit retaliation*** against those who report harassment.

Sexual harassment is harassment that is of an implicitly or overtly sexual nature, or is based on a person's actual or perceived sex, gender, sexual orientation, gender identity, or gender expression. Sexual harassment, including sexual assault, can involve persons of the same or opposite sex, and includes any unwelcome sexual advance, request for sexual favors, or other conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, education or participation in a WE-CAN related activity;
- Submission to, or rejection of, such conduct by an individual is used as the basis for, or a factor in, decisions affecting that individual's employment, education or participation in a WE-CAN related activity; or
- ***Such conduct has the purpose or effect of unreasonably interfering with an individual's employment or academic performance or creating an intimidating, offensive or hostile environment for participation in any WE-CAN related activities.***

Reporting Contact Information

UCAR Human Resources Department

Lameece Erwin (lerwin@ucar.edu, w: 303-497-8711)

Neil Barker (nbarker@ucar.edu, w: 303-497-8721)

Carolyn Brinkworth, UCAR Chief Diversity Officer (carolyn@ucar.edu; w: 303-497-1670; c: 720-619-1459)

Bob Wiley, UCAR Health, Environment and Safety (rwiley@ucar.edu; w: 303-497-8554)

NSF Office of Diversity and Inclusion (ODI)

programcomplaints@nsf.gov

(703) 292-8020

CSU Office of Equal Opportunity

oeo@colostate.edu

(970) 491-5836

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University of Washington
Title IX Coordinator, Valery Richardson
titleix@uw.edu

University of Montana
EOAA/Title IX Office
(406) 243-5710
eoaa@umontana.edu

University of Wyoming
Jim Osborn, Title IX Coordinator
(307) 766-5200
report-it@uwyo.edu

University of Colorado Boulder
Office of Institutional Equity and Compliance
303-492-2127
cureport@colorado.edu

References

McDonald, P., S. Charlesworth, and T. Graham (2015), Developing a framework of effective prevention and response strategies in workplace sexual harassment, *Asia Pacific Journal of Human Resources*, 53(1), 41-58.

McDonald, P., Charlesworth, S., & Graham, T. (2016). Action or inaction: Bystander intervention in workplace sexual harassment. *The International Journal of Human Resource Management*, 27(5), 548-566.

Salin, D. (2008), Organisational responses to workplace harassment: An exploratory study, *Personnel Review*, 38(1), 26-44.

Link to be added to: https://www.eol.ucar.edu/field_projects/we-can
<https://www.nsf.gov/pubs/issuances/in144.jsp>
<https://www.nsf.gov/od/odi/docs/odi1801.pdf>